

AMENDED IN SENATE JANUARY 17, 2006

AMENDED IN SENATE MARCH 17, 2005

**SENATE BILL**

**No. 55**

**Introduced by Senator Lowenthal**

January 12, 2005

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An act to amend Section 72121.5 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 55, as amended, Lowenthal. Community colleges: community college district governing boards: meeting agendas.

Under existing law, the California Community Colleges is established under the administration of the Board of Governors of the California Community Colleges. Existing law also establishes community college districts, and requires each district to be under the control of a governing board.

Existing law requires that, with certain exceptions, all meetings of the governing board of a community college district are to be open to the public, and that an agenda ~~shall~~ *is to* be posted by the governing board. Existing law also requires community college district governing boards to adopt reasonable regulations to carry out the intent of the Legislature that members of the public be able to place matters directly related to community college district business on the agenda of district governing board meetings and that the members of the public be able to address the board regarding items on the agenda as those items are taken up.

~~The bill would require that, when the presiding officer of a local academic senate notifies, in writing, the executive officer of a community college district governing board that a motion of no confidence has been adopted by that academic senate with respect to a~~

~~campus or district administrator of that district, the executive officer of the governing board shall cause that matter to be placed on the agenda of the next meeting of that governing board. The bill would also require the matter to be placed on the agenda of a second meeting of the governing board, to be held no sooner than one month, and no later than 2 months, after the first meeting for which the matter was placed on the agenda in order that the governing board may make certain determinations regarding that matter.~~

~~The—~~

~~This bill would specify that its provisions not be construed to require a community college district governing board to conduct a special meeting, for the purposes of those provisions, “members of the public” include, but are not necessarily limited to, representatives of community college organizations.~~

The bill would also make various technical, nonsubstantive changes in this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 72121.5 of the Education Code is
- 2 amended to read:
- 3 72121.5. (a) (1) It is the intent of the Legislature that
- 4 members of the public *including, but not necessarily limited to,*
- 5 *representatives of community college organizations,* be able to
- 6 place matters directly related to community college district
- 7 business on the agenda of community college district governing
- 8 board meetings, and that members of the public be able to
- 9 address the board regarding items on the agenda as those items
- 10 are taken up.
- 11 (2) Governing boards shall adopt reasonable regulations to
- 12 ensure that the intent of this subdivision is carried out. These
- 13 regulations may specify reasonable procedures to ensure the
- 14 proper functioning of governing board meetings.
- 15 ~~(b) (1) When the presiding officer of a local academic senate~~
- 16 ~~notifies, in writing, the executive officer of a community college~~
- 17 ~~district governing board that a motion of no confidence has been~~
- 18 ~~adopted by that academic senate with respect to a campus or~~
- 19 ~~district administrator of that district, the executive officer of the~~

1 ~~governing board shall cause that matter to be placed on the~~  
2 ~~agenda of the next meeting of that governing board.~~

3 ~~(2) The community college district governing board shall~~  
4 ~~place the matter referenced in paragraph (1) a second time at a~~  
5 ~~followup meeting to be set no sooner than one month, and no~~  
6 ~~later than two months, after the first meeting for which this~~  
7 ~~matter was placed on the agenda. The purpose of the second~~  
8 ~~discussion shall be to determine whether any improvements have~~  
9 ~~occurred since the matter was brought to the attention of the~~  
10 ~~governing board, and whether any outside technical assistance~~  
11 ~~should be sought by the governing board.~~

12 ~~(3) This section shall not be construed to require a community~~  
13 ~~college district governing board to conduct a special meeting.~~

14 ~~(e)–~~

15 ~~(b) This section shall not preclude the taking of testimony at~~  
16 ~~regularly scheduled meetings on matters not on the agenda which~~  
17 ~~any member of the public may wish to bring before the board,~~  
18 ~~provided that no action is taken by the board on those matters at~~  
19 ~~the same meeting at which that testimony is taken. Nothing in~~  
20 ~~this subdivision shall be construed to limit further discussion on~~  
21 ~~the same subject matter at a subsequent meeting.~~